

Government of West Bengal
Labour Department, I. R. Branch

N.S. Buildings, 12th Floor, 1, K.S. Roy Road, Kolkata - 700001
No. Labr/1657/(LC-IR)/11L-64/13 Date : 25/11/2020

ORDER

WHEREAS under the Government of West Bengal, Labour Department Order No. 645 -IR/11L-64/13 dated 21.05.14 the Industrial Dispute between M/s New Friends Enterprise (Tripathy Complex, Debhog, City Centre, Haldia), under the management of M/s Renuka Sugar Ltd., Vill & P.O. Debhog, City Center, Dist. Purba Medinipur and Lut Faruddin, Vill. Mahatma Gandhi Nagar, P.O. Hatiberia, P.S. Haldia, Dist. Purba Medinipur, Pin – 721 657 regarding the issue mentioned in the said order, being a matter specified in the Second Schedule to the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the Judge, Eighth Industrial Tribunal, West Bengal.

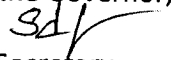
AND WHEREAS the Judge of the said Eighth Industrial Tribunal, West Bengal, has submitted to the State Government its award on the said Industrial Dispute.

NOW, THEREFORE, in pursuance of the provisions of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Governor is pleased hereby to publish the said award as shown in the Annexure hereto.

ANNEXURE

(Attached herewith)

By order of the Governor,


Deputy Secretary

to the Government of West Bengal

No. Labr/1657/1(5)
/(LC-IR)

Date : 25/11/2020

Copy, with a copy of the Award, forwarded for information and necessary action to :

1. M/s New Friends Enterprise (Tripathy Complex, Debhog, City Centre, Haldia), under the management of M/s Renuka Sugar Ltd., Vill & P.O. Debhog, City Center, Dist. Purba Medinipur.
2. Sri Lut Faruddin, Vill. Mahatma Gandhi Nagar, P.O. Hatiberia, P.S. Haldia, Dist. Purba Medinipur, Pin – 721 657.
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The Labour Commissioner, W.B. New Secretariate Buildings, 1, K. S. Roy Road, 11th Floor, Kolkata- 700001.
- ✓ 5. The O.S.D., IT Cell, Labour Department, with the request to cast the Award in the Department's website.


Deputy Secretary
No. Labr/1657/2(2)
/(LC-IR)

Date : 25/11/2020

Copy forwarded for information to :

1. The Judge, Eighth Industrial Tribunal, West Bengal with reference to his Memo No. 270 - L.T. dated 02.03.2020.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata -700001.

Deputy Secretary

In the matter of an Industrial Dispute between M/s. New Friends Enterprise (Tripathy Complex, Debhog, City Centre, Haldia), under the Management of M/S Renuka Sugar Ltd. Vill & P.O. Debhog, City Centre, Dist. Purba Mdinipur and Lut Faruddin, Vill. Mahatma Gandhi Nagar, P.O.Hatiberia, P.S. Haldia, Purba Medinipur, Pin 721657 referred to this Tribunal vide G.O. No. 645-IR/IR/11L-64/13 dated 21.05.2014-

(Case No.VIII-41/14)

BEFORE THE JUDGE, EIGHTH INDUSTRIAL TRIBUNAL,
KOLKATA.

Present

SRI MADHUSUDAN DUTTA, PRESIDING OFFICER,
Eighth Industrial Tribunal

A W A R D

This industrial dispute between M/s. New Friends Enterprise (Tripathy Complex, Debhog, City Center, Haldia) under the Management of M/S Renuka Sugar Ltd. Vill & P.O. Debhog, City Center, Dist. Purba Medinipur and Lut Faruddin, Vill Mahatm Gandhi Nagar, P.O. Hatiberia, P.S. Haldia, Purba Medinipur, Pin 721657 has been referred by the Govt. of West Bengal, Labour Department vide G.O. No. 645-IR/IR/11L-64/13 dated 21.05.2014 to this Tribunal for adjudication of the following issues: -

I S S U E S(S)

1. Whether the refusal of employment of Lut Faruddin by M/S New Friends Enterprise, under the Management of M/S Renuka Sugar Ltd. w.e.f. 11.12.2011 was justified?
2. What relief, in any, he is entitled to?

Today is fixed for passing of "No dispute Award".

The O.P. Company M/S Renuka Sugar Ltd. is present today but the applicant, Lut Faruddin is absent. On repeated calls none appears on behalf of the applicant.

Record reveals that the applicant absented himself from 22.10.2019. Vide order No. 69 dated 26.11.2019 notice to show-cause was issued against the applicant, as to why 'No Dispute Award' shall not be passed against him. A/D reveals that the

notice has been duly received by the applicant. But since then as many as 02 (two) adjournments were given but no step taken on behalf of the applicant.

Considering his reluctant attitude to proceed with the instant adjudication, I am persuaded to safely presume that he is no more interested to proceed with this adjudication and further adjournment will be nothing but abuse of Tribunal's process and time.

Such being the conduct on the part of the applicant and his Ld. Advocate, coupled with the fact, I think that in order to protect the judicial sanctity no further indulgence should be given to this applicant because justice is not monopoly to him.

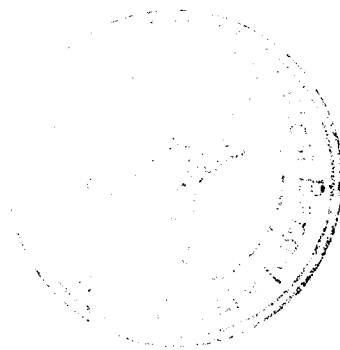
Therefore, I am of the view that it is a fit case to pass a 'No Dispute Award' under Rule 22 of Industrial Disputes Rules, 1958, the industrial dispute by and between the parties being treated as non-existent.

This is my AWARD.

Dictated & corrected by me.

Sd/- M. S. Dutta

M.S. Dutta
Presiding officer



Madhu Sudan Dutta
Presiding officer
Eighth Industrial Tribunal
Kolkata
28.02.2020